



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

and for her own benefit. *Held*, that she could recover. *Brooks v. British Columbia Electric Ry. Co.*, 48 D. L. R. 90.

Where the relation of principal and agent exists between a passenger and his driver, the negligence of the latter will on principles of agency be attributed to the former. *Wood v. Coney Island R. Co.*, 133 N. Y. App. Div. 270, 117 N. Y. Supp. 703. In the absence of such a relation, the passenger is not affected by the negligence of his driver. *The Bernina*, L. R. 12 P. D. 58; *Cincinnati St. Ry. Co. v. Wright*, 54 Ohio St. 181, 43 N. E. 688. Logically, the same principles are equally applicable to the case of husband and wife who are driver and passenger respectively. And the weight of authority is to that effect. *Southern Ry. Co. v. King*, 128 Ga. 383, 57 S. E. 687; *Louisville Co. v. Creek*, 130 Ind. 139, 29 N. E. 481. But some courts impute the husband's negligence to his wife, presumably because they are identified in interest, but without stating that ground. *Yahn v. City of Ottumwa*, 60 Iowa, 429, 15 N. W. 257; *City of Joliet v. Seward*, 86 Ill. 402. Other courts expressly make this the ground of their decisions. *Penna. R. Co. v. Goodenough*, 55 N. J. L. 577, 28 Atl. 3; *McFadden v. Santa Ana R. Co.*, 87 Cal. 464, 25 Pac. 681. Consistently, therefore, a married woman was allowed to recover where her husband was killed in the same accident. *Horandt v. Central R. Co.*, 78 N. J. L. 190, 73 Atl. 93. However, where, as in the principal case, a married woman may sue in her own name and the damages recovered are her own property, the argument from identity of interest fails, and it seems to be agreed that the ordinary principles apply. *Louisville R. Co. v. McCarthy*, 129 Ky. 814, 112 S. W. 925.

ELIGIBILITY OF WOMEN FOR PUBLIC OFFICE — CONSTRUCTION OF STATUTE. — An act concerning the office of clerk of court used only masculine pronouns. A prior act regarding the office had had no gender interpretation clause, but a general interpretation act provides that words importing the masculine gender shall include females unless the contrary appear. The question is whether a woman is eligible for the office. *Held*, that she is not. *Frost v. The King*, [1919] 1 I. R. 81.

For a discussion of this case, see NOTES, p. 295, *supra*.

EQUITY — JURISDICTION — PROTECTION OF RIGHTS OF PERSONALITY. — The defendant seduced the plaintiff's minor daughter. The plaintiff seeks to enjoin the defendant from associating or communicating with the girl in any manner. *Held*, that an injunction will issue. *Stark v. Hamilton*, 99 S. E. 861 (Ga.).

The orthodox definition of equity jurisdiction gives the Chancellor no power to protect purely personal rights. *Chappell v. Stewart*, 82 Md. 323, 33 Atl. 542; *Hodecker v. Stricker*, 39 N. Y. Supp. 515. But courts of equity have shown an increasing tendency to take jurisdiction of injuries to personality. *Ex parte Warfield*, 40 Tex. Crim. 413, 50 S. W. 933; *Vanderbilt v. Mitchell*, 72 N. J. Eq. 910, 67 Atl. 97. See Pound, "Equitable Relief against Defamation and Injuries to Personality," 29 HARV. L. REV. 640, 668. However, even when substantially protecting an interest of personality the courts have protested that they were concerned with property alone and that they secured interests of personality merely incidentally. The New Jersey court has gone further and has said, *obiter*, that if necessary it would not hesitate to protect personality as such. See *Vanderbilt v. Mitchell*, 72 N. J. Eq. 910, 919, 67 Atl. 97, 100. But in that case the court found a property interest remotely involved, and made that the "technical basis" of its equity jurisdiction. *Vanderbilt v. Mitchell*, *supra*. The principal case might also have been decided as involving a property right. The plaintiff could have maintained an action at law for the loss of his daughter's services. *Mulvehall v. Millward*, 11 N. Y. 343; *Kennedy v. Shea*, 110 Mass. 147. But the court does not rest its jurisdiction on this property interest, but upon the interests of personality which are really at stake.